

ORDINANCE NO. 16-\_\_\_\_\_

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

**Section 1.** The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicants have represented to the City of Huntsville that **David B. Chenault and wife, Dawn E. Chenault**, are the owners of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

**Section 2.** Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA       )  
                                      )  
COUNTY OF MADISON     )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **David B. Chenault and wife, Dawn E. Chenault**, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 9, BLOCK 6, OF JONES VALLEY ESTATES, THIRD ADDITION AS RECORDED IN PLAT BOOK 3 ON PAGE 117 IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT A BOTTOM HEX IRON PIN FOUND AT THE NORTHWEST CORNER OF SAID LOT 9; THENCE SOUTH 44 DEGREES 13 MINUTES 50 SECONDS EAST 7.12 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, ALONG A LINE 5 FEET INSIDE OF AND PARALLEL TO THE NORTH PROPERTY LINE, SOUTH 88 DEGREES 52 MINUTES 39 SECONDS EAST 20.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF A PROPOSED GARAGE; THENCE, ALONG THE EAST FACE OF THE PROPOSED GARAGE, SOUTH 00 DEGREES 25 MINUTES 00 SECONDS WEST 5.00 FEET TO THE SOUTH MARGIN OF AN EXISTING 10-FOOT UTILITY AND DRAINAGE EASEMENT; THENCE, ALONG SAID EASEMENT, NORTH 88 DEGREES 52 MINUTES 39 SECONDS WEST 15.00 FEET, MORE OR LESS, TO THE INTERSECTION OF SAID EASEMENT WITH THE EAST MARGIN OF AN EXISTING 10-FOOT UTILITY AND DRAINAGE EASEMENT ALONG THE WEST BOUNDARY OF SAID LOT 9; THENCE, ALONG THE EAST MARGIN OF SAID EASEMENT, SOUTH 00 DEGREES 25 MINUTES 00 SECONDS WEST 21.18 FEET, MORE OR LESS, TO THE FACE OF A PROPOSED GARAGE; THENCE, ALONG THE FACE OF SAID GARAGE, NORTH 89 DEGREES 35 MINUTES 00 SECONDS WEST 5.00 FEET TO A POINT 5 FEET INSIDE OF THE WEST BOUNDARY OF SAID LOT 9; THENCE NORTH 00 DEGREES 25 MINUTES 00 SECONDS EAST 26.25 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 206 SQUARE FEET, MORE OR LESS.

**TO HAVE AND TO HOLD** unto the said grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 3rd day of November, 2016.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Kenneth Benion  
Clerk-Treasurer

STATE OF ALABAMA       )  
                                      :  
COUNTY OF MADISON     )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Kenneth Benion, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 3rd day of November, 2016 .

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
**HILL LAND SURVEYING, INC.**  
**133 FEATHERSTONE LN**  
**OWENS CROSS ROADS, AL 35763**

Ordinance No. 16-\_\_\_\_\_ (Cont.)  
Chenault, David B. and Dawn E.

**ADOPTED** this the 3rd day of November, 2016.

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 3rd day of November, 2016.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama